

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA**

PETER POE, et al.,

Plaintiffs,

v.

GENTNER DRUMMOND, et al.,

Defendants.

Case No. 23-cv-00177-JFH-SH

**PLAINTIFFS' MOTION FOR A PRELIMINARY INJUNCTION AND FOR EXPEDITED
CONSIDERATION**

Pursuant to Federal Rule of Civil Procedure 65, Plaintiffs hereby respectfully move the Court for a preliminary injunction restraining Defendants and any successors to Defendants from enforcing any provision of Senate Bill 613 (“SB 613”), enacted by the Oklahoma State Legislature on April 27, 2023 and signed into law by Oklahoma Governor Stitt on May 1, 2023 (the “Health Care Ban”), during the pendency of this litigation. The Health Care Ban prohibits the provision of medically necessary, safe, effective, and often lifesaving healthcare to transgender adolescents with gender dysphoria in Oklahoma. Absent expedited and preliminary injunctive relief, Plaintiffs will suffer immediate and irreparable harm.

In support of this Motion, Plaintiffs submit the declarations of Plaintiffs Peter Poe, Paula Poe, Daphne Doe, Donna Doe, Brandon Boe, Benjamin Boe, Lydia Loe, Lauren Loe, Ryan Roe, Rachel Roe, and Dr. Shauna Lawlis, M.D.; the expert declarations of Deanna Adkins, MD, Armand H. Matheny Antommara, MD, PhD, FAAP, HEC-C, Aron Janssen, M.D., and Jack Turban, M.D.; an Opening Memorandum of Law in Support of Plaintiffs’ Motion for a Preliminary Injunction;

and the text of the Health Care Ban (attached as Exhibit 1 to Plaintiffs' Opening Memorandum of Law).

Plaintiffs' Opening Memorandum of Law in Support of the Motion demonstrates Plaintiffs are likely to prevail on the merits of their claims, a preliminary injunction is necessary to prevent irreparable harm to Plaintiffs, and that such a preliminary injunction is in the public interest.

Plaintiffs respectfully request that the Court exercise its discretion and waive any bond requirement because Defendants are unlikely to sustain any costs or damages as the result of a preliminary injunction. *See Coquina Oil Corp. v. Transwestern Pipeline Co.*, 825 F.2d 1461, 1462 (10th Cir. 1987) (district court may waive bond requirement "if there is an absence of proof showing a likelihood of harm" (citation omitted)); *Sulphur Manor, Inc. v. Burwell*, No. CIV-15-250-RAW, 2015 WL 12564776, at *2 (E.D. Okla. July 8, 2015) (no bond necessary because there was no harm to government from staying administrative action).

Plaintiffs request oral argument and believe it would be helpful to the Court when considering the issues raised by the motion. Under the Local Rules, Defendants' response brief is due within twenty-one days of service of the motion papers, and Plaintiffs' reply brief is due fourteen days after Defendants' response brief. Because the Health Care Ban currently is in effect and Plaintiffs face irreparable harm if enforcement of the Health Care Ban is not enjoined, Plaintiffs respectfully request that the Court exercise its discretion to expedite the briefing schedule so that Defendants' response brief is due within fourteen days of service of the motion papers, and Plaintiffs' reply brief is due within seven days after Defendants' response brief. Plaintiffs ask that the Court set oral argument as soon as possible after the conclusion of briefing.

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Date: May 2, 2023

/s/Megan Lambert

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(OBA# 33216)

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**Application for admission pro hac vice
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Respectfully submitted

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CERTIFICATE OF SERVICE

I hereby certify that this motion will be served concurrently with the service of the Summonses and Complaint in this matter.

/s/ Megan Lambert

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